



Appeal Decision

Site visit made on 27 April 2004

by **J Chance** BSc DipTP MRTPI

an Inspector appointed by the First Secretary of State

The Planning Inspectorate
4/09 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
☎ 0117 372 6372
e-mail: enquiries@planning-
inspectorate.gsi.gov.uk

Date

27 MAY 2004

Appeal Ref: APP/W9500/A/04/1137070

The Cottage, Trattles Hill, Cloughton, Scarborough YO13 0AR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr & Mrs Bleasdale against the decision of North York Moors National Park Authority.
- The application (Ref. NYM4/024/0521A/PA), dated 12 May 2003, was refused by notice dated 7 July 2003.
- The development proposed is the erection of a new garage block.

Summary of Decision: The appeal is allowed and planning permission granted subject to conditions set out in the Formal Decision below.

Main Issue

1. The main issue is the effect of the proposed development on the character and appearance of the host dwelling and the surrounding area.

Planning Policy

2. The development plan includes the North Yorkshire County Structure Plan (SP) (adopted 1995) and the North York Moors Local Plan (LP) (adopted 2003). SP Policy E1 indicates that within the North York Moors National Park priority will be given to conservation of the landscape and general amenity. In addition, there will be a presumption against major extensions, except where shown to be necessary in that location, and when development is permitted it should be to a high standard of design, use appropriate materials and pay due regard to its setting.
3. As for the LP, Policy H9 seeks to ensure that new ancillary domestic buildings within the curtilage of a dwelling would not detract from the character and appearance of the dwelling and site and would be acceptable in terms of its scale, height, form, position design detailing and materials. Such proposals should also conform with Policy GP3, which, amongst other things, requires the design of the scheme to respect or enhance the character, special qualities and distinctiveness of the locality and wider landscape.
4. I have also been referred to Planning Policy Guidance Note 1: **General Policy and Principles**.

Reasons

5. The proposed development is a garage block within the curtilage of a detached house, formerly known as The Cottage and now re-named Trattles Hall, on Trattles Hill, just north of Cloughton village. The Authority also refused a subsequent planning application

General Policy and Principles
28 MAY 2004
AKK

(Ref. NYM/2004/0013/FL) for the erection of a garage block in February 2004. However, this is not a matter I can consider within the context of this appeal.

6. The house, although set within spacious grounds, is prominent by virtue of its location immediately adjacent to the road, its size, the nature and colour of its materials and its architectural and design features. Its complex layout and roof form, with gables of different sizes, different-shaped bays, large number of chimneys, generally ornate detailing and distinctive materials result in a property, which is both attractive and unusual for the area. Although nearby properties are of individual design, with a variety of different orientations and set-backs with respect to the road, I saw that few others stand out so prominently within their sites or are so visible from Trattles Hill.
7. However, the site for the proposed garage block is to the rear of the house and the proposal would use and add to the existing high wall along the northern boundary for its rear wall. Although the proposed garages would be visible from different parts of the gardens, in my opinion, little of the proposed block would be seen from public vantage points outside the site. When travelling downhill past the property the extended wall and roof would be seen from a short section of road before being partially screened by roadside vegetation, whilst the main house would obscure views of the proposal when travelling uphill.
8. The Authority argues that the horizontal emphasis of the proposal would detract from the more vertical theme of the house. However, that vertical theme was not unduly strong, in my opinion, and I note that the proposal would incorporate some of the design details of the house as well as a matching external finish to its front and flank elevations.
9. I acknowledge the appellants' requirements for a relatively large covered area for garaging vehicles for normal use and in connection with a motor racing hobby, as well as for equipment connected with maintenance of the grounds and house. I also accept that a former building, known as a coach house, occupied nearly the same footprint as the proposal in the past. In my view, the size of the proposed block is necessary for the appellants' identified uses and it would not be out of scale with the existing large main building. Whilst I consider that the building would have somewhat of a suburban appearance and its design could more closely reflect that of the house, nevertheless, I find that, because of its position on the rear boundary, its visual impact on that dwelling in views from within the grounds would not be unduly harmful.
10. Furthermore, that proposed location at the rear of the site incorporating an established boundary wall, with only the roof visible outside the property curtilage, in my view, would significantly limit the effect of the proposal on its wider setting. Although its proportions would differ from those of the existing house, I find that, by virtue of its proposed siting, external treatment, gable and corner detailing, it would not significantly detract from the character and appearance of either the host dwelling or the surrounding area.
11. My attention has been drawn to an existing garage block to the north of the appeal site at The Byres Farmhouse. That block has more doors than the current proposal and, in my opinion, is more prominent in its siting, since it faces the road and is only set back from it by a short distance. I also saw garages of different sizes, styles and forms, some of which are close to the property frontages, at other nearby dwellings. Although I have determined this proposal on its own merits, nevertheless the presence of those other garages reinforces my conclusion that there would be no significant harm to the character and appearance of the dwelling and no significant failure to respect the character and qualities of the locality.

NYM NPA	
28	28 MAY 2004
Ack'd	
Ans'd	

12. I therefore conclude that the proposed development would not cause significant harm to the character and appearance of the host dwelling and the surrounding area. It would thus not conflict with Policy E1 of the SP or with Policies H9 and GP3 of the LP.

Conditions

13. In the event that the appeal is allowed, the Authority has suggested imposing 2 conditions. I have considered the suggested conditions, having regard to the advice in Circular 11/95. In addition to the normal commencement condition, which I shall impose, I consider it important for the roof and walls to integrate visually with those of the main house and therefore feel it is necessary for samples to be submitted to the Authority for approval.

Conclusion

14. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed.

Formal Decision

15. I allow the appeal and grant planning permission for the erection of a new garage block at The Cottage, Trattles Hill, Cloughton, Scarborough YO13 0AR in accordance with the terms of the application Ref. NYM4/024/0521A/PA dated 12 May 2003, and the plans submitted therewith, subject to the following conditions:
- 1) The development hereby permitted shall be begun before the expiration of five years from the date of this decision.
 - 2) No development shall take place until samples of the materials to be used for the external treatment of the walls, including their colour, and the roof tiles to be used in the construction of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Information

16. A separate note is attached setting out the circumstances in which the validity of this decision may be challenged by making an application to the High Court.
17. This decision does not convey any approval or consent that may be required under any enactment, by-law, order or regulation other than section 57 of the Town and Country Planning Act 1990.
18. An applicant for any approval required by a condition attached to this permission has a statutory right of appeal to the Secretary of State if that approval is refused or granted conditionally or if the authority fails to give notice of its decision within the prescribed period.

J. Clance

INSPECTOR

